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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/546,137	08/19/2005	David A. Blaker	026032-4947	1344

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EXAMINER	
BROWN, VERNAL U	

ART UNIT	PAPER NUMBER
2612	

MAIL DATE	DELIVERY MODE
03/11/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/546,137	BLAKER ET AL.	
	Examiner	Art Unit	
	VERNAL U. BROWN	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *8/19/2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *8/19/05* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

The application of David Blaker for Trainable Remote Controller and Method for Determining the Frequency of a Learned Control Signal filed August 19, 2005 has been examined. Claims are 1-24 are pending.

Specification

The abstract of the disclosure is objected to because the abstract should be on a separate page. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Dykema et al. US Patent 5854593.

Regarding claim 1, Dykema et al. teaches a trainable transceiver (55) comprising an antenna (59) coupled to a receiver (col. 5 lines 51-65). The receiver is considered to be wideband because it is adjusted for receiving a wide range of frequencies (col. 14 lines 59-67). Dykema et al. teaches the receiver is configured to receive a RF control signal from the remote control transmitter and the RF control signal includes a control code, a RF carrier frequency (col. 6 lines 14-20) and set of data characteristic relating to whether or not the code is variable (col. 18 lines

15-30). Dykema et al. teaches a control circuit (57) coupled to the receiver having a training mode for identifying and storing the control code of the RF control signal in order to identify the frequency associated with the received control signal from the transmitter and the data characteristic of the received control signal (col. 18 lines 15-20).

Regarding claim 2, Dykema et al. teaches the control circuit stores a radio frequency (col. 17 lines 15-20).

Regarding claim 3, Dykema et al. teaches a fixed control code (col. 15 lines 25-30).

Regarding claim 4, Dykema et al. teaches the control code is an encrypted rolling code and the controller identifies the algorithm based on the data characteristic of the received signal (col. 25 lines 14-24, col. 25 lines 41-50).

Regarding claims 5-6, Dykema et al. teaches the control circuit retrieves the control code and the frequency and generates a RF signal for transmission for the actuation of a remote device (col. 6 lines 14-20).

Regarding claim 7, Dykema et al. teaches the tuning of the wideband receiver (col. 7 lines 29-33).

Regarding claim 8, Dykema et al. teaches identifying the frequency of the control signal based on the data characteristic of the number of rising edges appearing in the received signal over a period of a predetermined time interval (col. 17 lines 1-14).

Regarding claim 9, Dykema et al. teaches the transceiver generates a RF signal at each of the frequency representing the learnt code (col. 6 lines 14-25).

Regarding claim 10, Dykema et al. teaches a trainable transceiver (55) comprising an antenna (59) coupled to a receiver (col. 5 lines 51-65). The receiver is considered to be wideband

because it is adjusted for receiving a wide range of frequencies (col. 14 lines 59-67). Dykema et al. teaches the receiver is configured to receive a RF control signal from the remote control transmitter and the RF control signal includes a control code, a RF carrier frequency (col. 6 lines 14-20) and set of data characteristic relating to whether or not the code is variable (col. 18 lines 15-30). Dykema et al. teaches a control circuit (57) coupled to the receiver having a training mode for identifying and storing the control code of the RF control signal in order to identify the frequency associated with the received control signal from the transmitter and the data characteristic of the received control signal (col. 18 lines 15-20). Dykema et al. also teaches identifying the frequency of the control signal based on the data characteristic of the number of rising edges appearing in the received signal over a period of predetermined time interval (col. 17 lines 1-14).

Regarding claim 11, Dykema et al. teaches a fixed control code (col. 15 lines 25-30).

Regarding claim 12, Dykema et al. teaches the control code is an encrypted rolling code and the controller identifies the algorithm based on the data characteristic of the received signal (col. 25 lines 14-24, col. 25 lines 41-50).

Regarding claims 13-14, Dykema et al. teaches the control circuit retrieves the control code and the frequency and generates a RF signal for transmission for the actuation of a remote device (col. 6 lines 14-20).

Regarding claim 15, Dykema et al. teaches the tuning of the wideband receiver (col. 7 lines 29-33).

Regarding claim 16, Dykema et al. teaches identifying the frequency of the control signal based on the data characteristic of the number of rising edges appearing in the received signal over a period of predetermined time interval (col. 17 lines 1-14).

Regarding claim 17, Dykema et al. teaches the transceiver generates a RF signal at each of the frequency representing the learnt code (col. 6 lines 14-25).

Regarding claim 18, Dykema et al. teaches initiating a training sequence (col. 4 lines 27-32);

identifying and storing a control code of the RF control signal ((col. 6 lines 14-20, col. 17 lines 15-20) ;

identifying the data characteristic of the RF control signal (col. 18 lines 15-20) and identifying a frequency based on a data characteristic of the number of rising edges appearing in the received signal over a period of a predetermined time interval (col. 17 lines 1-14).

Regarding claim 19, Dykema et al. teaches the control circuit stores a radio frequency (col. 17 lines 15-20).

Regarding claim 20, Dykema et al. teaches initiating the training sequence with the actuation of a switch (col. 16 lines 32-47).

Regarding claim 21, Dykema et al. teaches the training sequence is initiated when a signal is received by the transceiver (col. 19 lines 49-55).

Regarding claim 22, Dykema et al. teaches the transceiver is mounted in a vehicle (col. 5 lines 41-49) and teaches using a display device connected to a vehicle bus to inform the user to initiate a training sequence (col. 6 lines 60-67).

Regarding claim 23, Dykema et al. teaches the tuning of the wideband receiver (col. 7 lines 29-33).

Regarding claim 24, Dykema et al. teaches a trainable transceiver comprising an antenna (59);

a controllable tuned detector (58) coupled to the antenna and receives the control signal having a frequency in a predetermined range of frequencies (col. 14 lines 59-67);

a frequency generator (73) coupled to the detector (receiver) for generating signals at a plurality of frequencies (col. 9 lines 47-54, col. 16 lines 57-60) and a control circuit (57) for identifying a control code of an RF control signal received by the RF detection circuit provided by the receiver further providing a test signal to initiate a testing sequence in order to determine an RF frequency of the RF tuned detector upon receipt of the control signal received (col. 17 lines 15-39). .

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/
Examiner, Art Unit 2612
February 28, 2008